

# TROJAN LAW OFFICES

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Patent, Trademark, Copyright  
Trade Secret & Related Causes

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July 26, 2002

Mr. Thomas Ping Hua Lee  
128 Brent Circle  
City of Industry, CA 91789

VIA CERTIFIED MAIL

Re: U.S. Reissue Patent Appl for "Safety Apparatus of a  
Piezoelectric Lighter."  
Based on U.S. Pat. No. 5,971,751 (10/26/1999);  
Inventor: Lee, T.  
Assignee: Calico Brands, Inc.  
S.N. 08/881,964 (Filed 6/5/1997)  
Attorney Docket No. 01-10-1769

Dear Mr. Lee:


Our client Calico Brands, Inc. is successor in interest and owner of United States Patent Number 5,971,751 "Safety Apparatus of a Piezoelectric Lighter." We have filed a reissue patent application on this invention to broaden the claims of the original issued patent.

Enclosed please find a copy of the Reissue Application, and the Reissue Application Declaration. Please sign the declaration and return it to us in the enclosed, self-addressed envelope as soon as possible. We thank you for your assistance with this matter.

Very truly yours,

TROJAN LAW OFFICES

by



Lee Fredric Sharra

LFS:lfs  
Enclosures

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City, State, ZIP+4 City of Jackson, CA 92789

See Reverse for Instructions

PS Form 3800, January 2001

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)  
01-10-1769

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5971751, granted 10/26/1999, and for which a

reissue patent is sought on the invention entitled Safety Apparatus of a Piezoelectric  
Lighter

the specification of which

☐ is attached hereto.

☒ was filed on 10/26/2001 as reissue application number          /           
and was amended on           
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☒ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The applicant brings this reissue application by reason of the patentee claiming less than he had the right to claim in the patent in original claims 1-6. For example, Claim 1 has limiting language for the pressure absorbing device, "vertically held between said thumb-push cap and said ceiling of said casing." (Col. 5, lines 41-42) The applicant has provided new claims 7 and 8 to broaden the claim language to appreciate the full scope of the invention as disclosed in Figs. 2-4 and in Columns 3-5 of the Patent Specification.

[Page 1 of 2]

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
01-10-1769

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)	Registration Number
R. Joseph Trojan	34,264
Lee F. Sharra	43,108
David Hong	45,704

Correspondence Address: Direct all communications about the application to:



Customer Number

23388

Type Customer Number here

Place Customer Number Bar  
Code Label here

<input checked="" type="checkbox"/> Firm or <input type="checkbox"/> Individual Name	Trojan Law Offices				
Address	9250 Wilshire Blvd,				
Address	Suite 325				
City	Beverly Hills	State	CA	Zip	90212
Country	U.S.				
Telephone	(310) 777-8399	Fax	(310) 777-8348		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.					
Full name of sole or first inventor (given name, family name) Thomas Ping Hua LEE					
Inventor's signature			Date		
Residence 128 Brent Circle		Industry, CA 91789	Citizenship Taiwan, R.O.C.		
Mailing Address 128 Brent Circle, Industry, CA 91789					
Full name of second joint inventor (given name, family name)					
Inventor's signature			Date		
Residence			Citizenship		
Mailing Address					
Full name of third joint inventor (given name, family name)					
Inventor's signature			Date		
Residence			Citizenship		
Mailing Address					
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.					

# TROJAN LAW OFFICES

R. Joseph Trojan  
Joyce E. Crucillo  
David Hong  
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Roy Kim  
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Patent, Trademark, Copyright  
Trade Secret & Related Causes

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October 26, 2001

Commissioner For Patents  
Box REISSUE  
Washington, D.C. 20231

VIA U.S. EXPRESS MAIL (EL732937971US)

Re: U.S. Reissue Patent Appl for "Safety Apparatus of a  
Piezoelectric Lighter."  
Based on U.S. Pat. No. 5,971,751 (10/26/1999);  
Inventor: Lee, T.  
Assignee: Calico Brands, Inc.  
S.N. 08/881,964 (Filed 6/5/1997)  
Attorney Docket No. 01-10-1769

Dear Sir/Madam:

For a Reissue Patent Application based on U.S. Patent No. 5,971,751, please find enclosed the following documents:

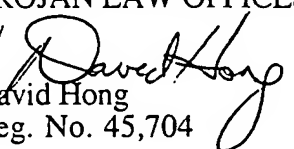
1. Reissue Patent Application Transmittal (1 page);
2. Reissue Application Fee Transmittal Form (original and copy, 2 pages total);
3. Check for \$454.00 (1 page);
4. Specification and Claims in double column copy of U.S. Patent No. 5971751 (8 pages);
5. Revocation of Power of Attorney (1 page);
6. Power of Attorney (1 page);
7. Reissue Application: Consent of Assignee (1 page);
8. Statement Under 37 CFR 3.73(b) with copies of Two (2) Recorded Assignments from previous assignee Mr. Yeh to Calico Brands, Inc. (6 pages);
9. Preliminary Amendment (new indep. claims 7 and 8 (3 pages);
10. Drawings (4 pages);
11. Certificate of Mailing by Express Mail (1 page);
12. Return Post Card (1 page); and
13. Cover Letter (1 page).

If any additional required fees are required, please deduct the appropriate fee amount from our Deposit Account No. 500703. Our customer number is 23388.

Very truly yours,

TROJAN LAW OFFICES

by

  
David Hong  
Reg. No. 45,704

DH:dh  
Enclosures  
cc: Calico Brands, Inc.

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## REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

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Box Reissue  
Washington, DC 20231

Attorney Docket No.	01-10-1769
First Named Inventor	Lee
Original Patent Number	5971751
Original Patent Issue Date (Month/Day/Year)	10/26/1999
Express Mail Label No.	EL732937971US

## APPLICATION FOR REISSUE OF:

(Check applicable box)



Utility Patent



Design Patent



Plant Patent

## APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/56)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent format (amended, if appropriate)
4. ☒ Drawing(s) (proposed amendments, if appropriate)
5. ☐ Reissue Oath/Declaration (original or copy)  
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☒ Power of Attorney
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No  
(If Yes, check applicable box(es))
  - ☒ Written Consent of all Assignees (PTO/SB/53)
  - ☒ 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all of the following are necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

10. ☐ Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c).
11. ☐ Original U.S. Patent for surrender
  - ☐ Ribbonded Original Patent Grant
  - ☐ Statement of Loss (PTO/SB/55)
12. ☐ Foreign Priority Claim (35 U.S.C. 119)  
(if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
14. ☐ English Translation of Reissue Oath/Declaration  
(if applicable)
15. ☒ Preliminary Amendment
16. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
17. Other: Revocation Power of Attny  
Copy of Assignments (2)

## 18. CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

23388

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	R. Joseph Trojan, TROJAN LAW OFFICES		
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NAME (Print/Type)	David Hong	Registration No. (Attorney/Agent)	45,704
Signature	<i>David Hong</i>	Date	10/26/2001

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## REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional)  
01-10-1769

## Claims as Filed - Part 1

Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 6	Total Claims (37 CFR 1.16(j))	(B) 8	**** 0 =	x \$ <sup>9</sup> =	0	or	x \$ =	
(C) 1	Independent claims (37 CFR 1.16(i))	(D) 3	• 2 =	x \$ <sup>42</sup> =	84		x \$ =	
Basic Fee (37 CFR 1.16(h))							\$370.00	\$
Total Filing Fee						\$454	OR	\$

## Claims as Amended - Part 2

	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	***	MINUS	**	* =	x \$ <sup>9</sup> =		x \$ =	
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	=	x \$ <sup>42</sup> =		x \$ =	
Total Additional Fee						\$	OR	\$

\* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

\*\* If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

\*\*\* After any cancellation of claims.

\*\*\*\* If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).

\*\*\*\*\* "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

☒ Applicant claims small entity status. See 37 CFR 1.27.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 500703.  
A duplicate copy of this sheet is enclosed.☒ A check in the amount of \$ 454 to cover the filing / additional fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

10/26/2001

Date

Signature of Applicant, Attorney or Agent of Record

David Hong (#45,704)

Typed or printed name

COPY

PTO/SB/56 (04-01)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## REISSUE APPLICATION FEE TRANSMITTAL FORM

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## Claims as Filed - Part 1

Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity	
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(A) 6	Total Claims (37 CFR 1.16(j))	(B) 8	**** 0 =	x \$ <sup>9</sup> =	0	or	x \$ =
(C) 1	Independent claims (37 CFR 1.16(i))	(D) 3	. 2 =	x \$ <sup>42</sup> =	84		x \$ =
Basic Fee (37 CFR 1.16(h))					\$370.00		\$
Total Filing Fee					\$454	OR	\$

## Claims as Amended - Part 2

	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	***	MINUS	**	=	x \$ <sup>9</sup> =		x \$ =	
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	=	x \$ <sup>42</sup> =		x \$ =	
Total Additional Fee					\$	OR	\$	

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\*\*\* After any cancellation of claims.

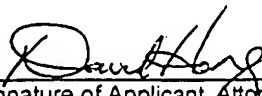
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10/26/2001

Date

  
 Signature of Applicant, Attorney or Agent of Record  
 David Hong (#45,704)  
 \_\_\_\_\_  
 Typed or printed name



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PURSUANT TO 37 C.F.R. 1.10

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1. Reissue Patent Application Transmittal (1 page);
2. Reissue Application Fee Transmittal Form (original and copy, 2 pages total);
3. Check for \$454.00 (1 page);
4. Specification and Claims in double column copy of U.S. Patent No. 5971751 (8 pages);
5. Revocation of Power of Attorney (1 page);
6. Power of Attorney (1 page);
7. Reissue Application: Consent of Assignee (1 page);
8. Statement Under 37 CFR 3.73(b) with copies of Two (2) Recorded Assignments from previous assignee Mr. Yeh to Calico Brands, Inc. (6 pages);
9. Preliminary Amendment (new indep. claims 7 and 8 (3 pages);
10. Drawings (4 pages);
11. Certificate of Mailing by Express Mail (1 page);
12. Return Post Card (1 page); and
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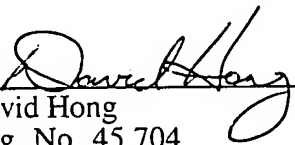
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Commissioner for Patents  
Washington, D.C. 20231

on October 26, 2001,

for U.S. Reissue Patent Application for "Safety Apparatus of a Piezoelectric Lighter."  
Based on U.S. Patent No. **5,971,751** (Issued 10/26/1999); Inventor: Lee, T.; Prior S.N.  
08/881,964 (Filed 6/5/1997); Attorney Docket No. 01-10-1769.

TROJAN LAW OFFICES

by

  
\_\_\_\_\_  
David Hong  
Reg. No. 45,704



US005971751A

**United States Patent** [19][11] **Patent Number:** **5,971,751**

Lee

[45] **Date of Patent:** **Oct. 26, 1999****[54] SAFETY APPARATUS OF A  
PIEZOELECTRIC LIGHTER**

[75] Inventor: Thomas Ping Hua Lee, Industry, Calif.

[73] Assignee: Chun Ching Yeh, Covina, Calif.

[21] Appl. No.: 08/881,964

[22] Filed: Jun. 5, 1997

[51] Int. Cl.<sup>6</sup> ..... F23Q 7/12; F23D 11/36

[52] U.S. Cl. .... 431/255; 431/153; 431/256

[58] Field of Search ..... 431/274, 277,  
431/255, 153, 256, 276; 222/153.13, 402.11,  
406, 113

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Primary Examiner—Ira S. Lazarus

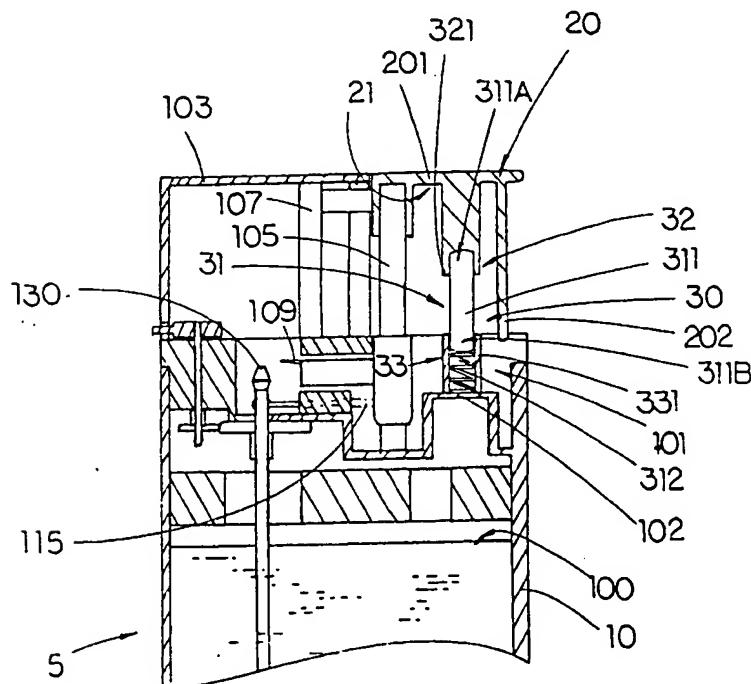
Assistant Examiner—David Lee

Attorney, Agent, or Firm—David and Raymond; Raymond  
Y. Chan**[57] ABSTRACT**

A safety apparatus of a piezoelectric lighter includes a pressure absorbing device disposed in a cap cavity of a casing of the piezoelectric lighter, a holding means integrally affixed to an interior surface of a thumb-push cap for rigidly holding one end of the pressure absorbing device in position, and a receiving means provided in the cap cavity for receiving and supporting another end of the pressure absorbing device in position. Therefore the pressure absorbing device is vertically held between the thumb-push cap and the ceiling of the casing for urging the thumb-push cap at an upper normal position thereof and providing an additional press resistance to the thumb-push cap, so as to resist a downwardly press force applied by an under age child on the thumb-push cap while an adult is capable of pushing down the thumb-push cap easily.

**6 Claims, 4 Drawing Sheets****[56] References Cited****U.S. PATENT DOCUMENTS**

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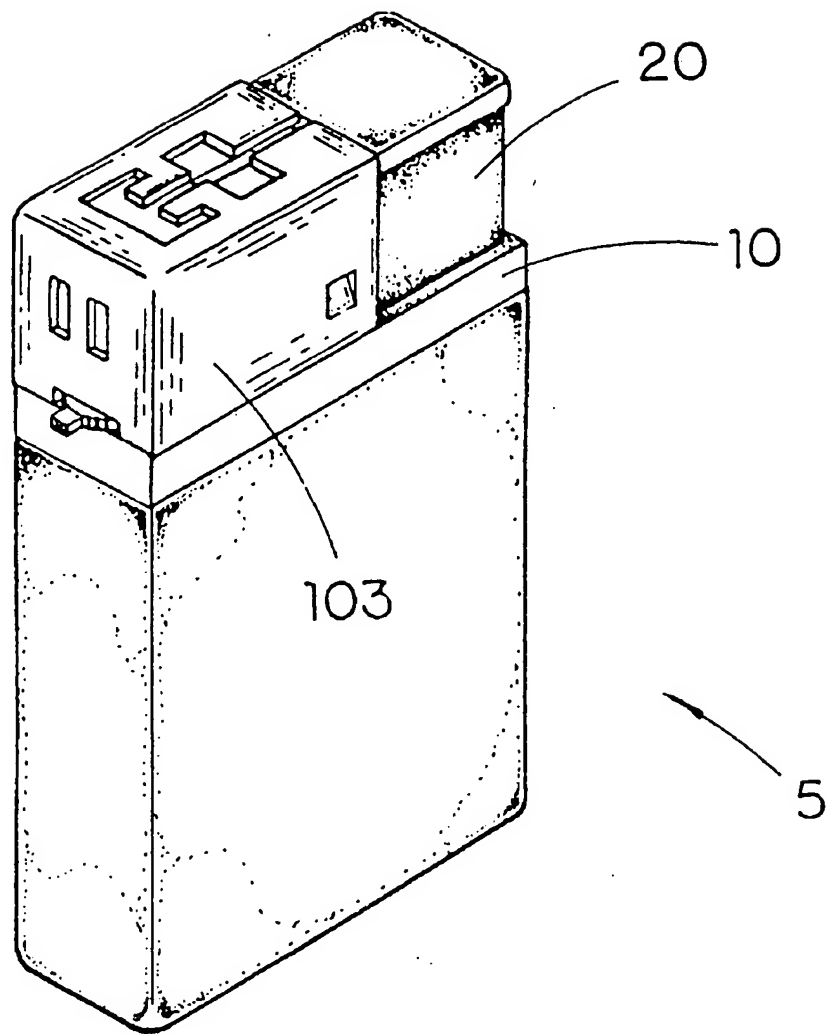


FIG. 1

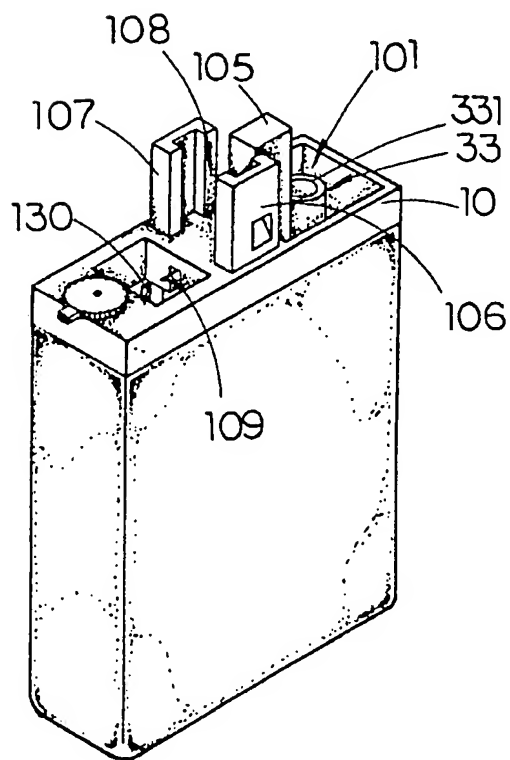
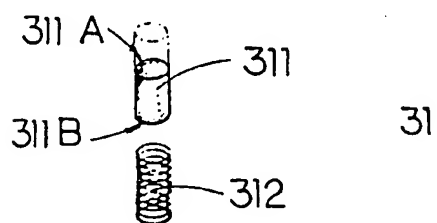
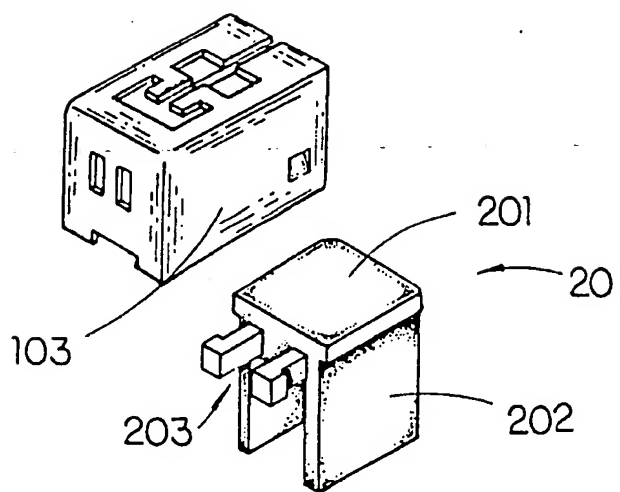


FIG. 2

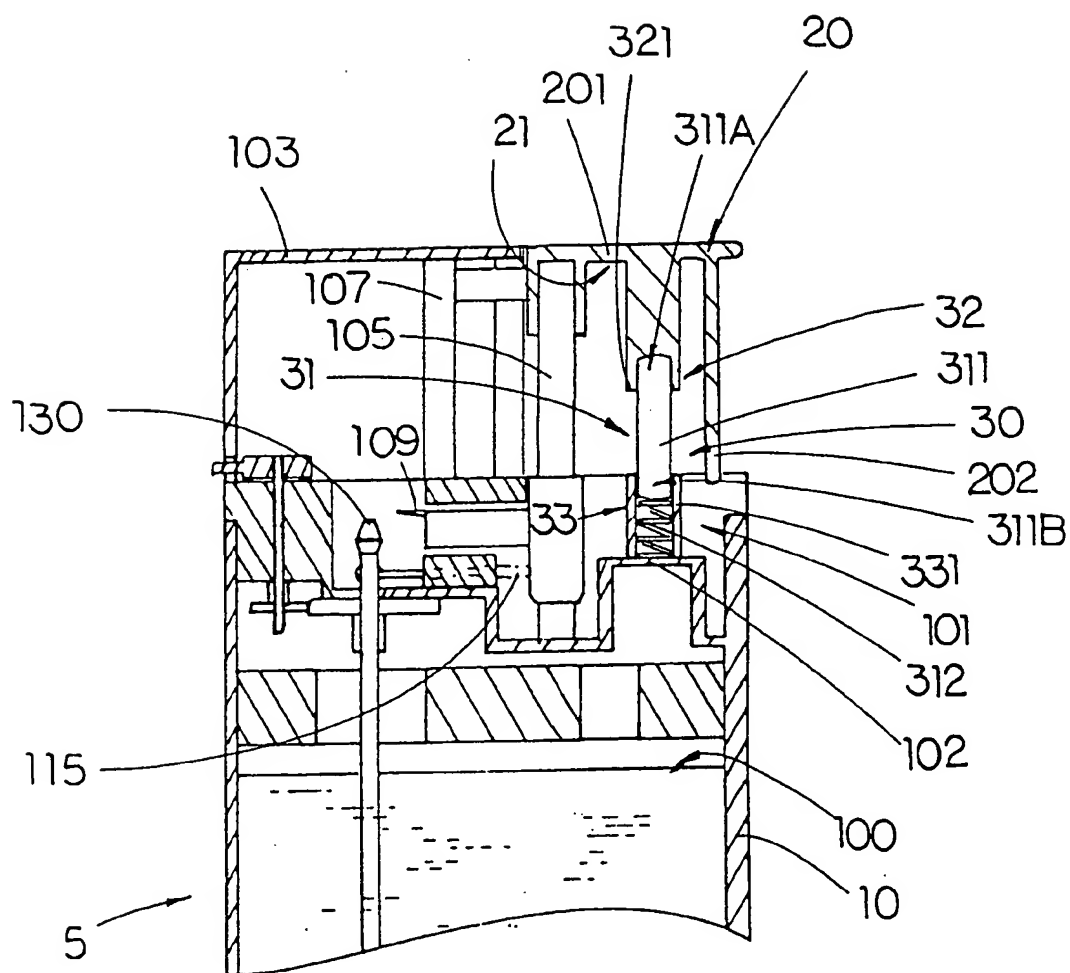


FIG. 3

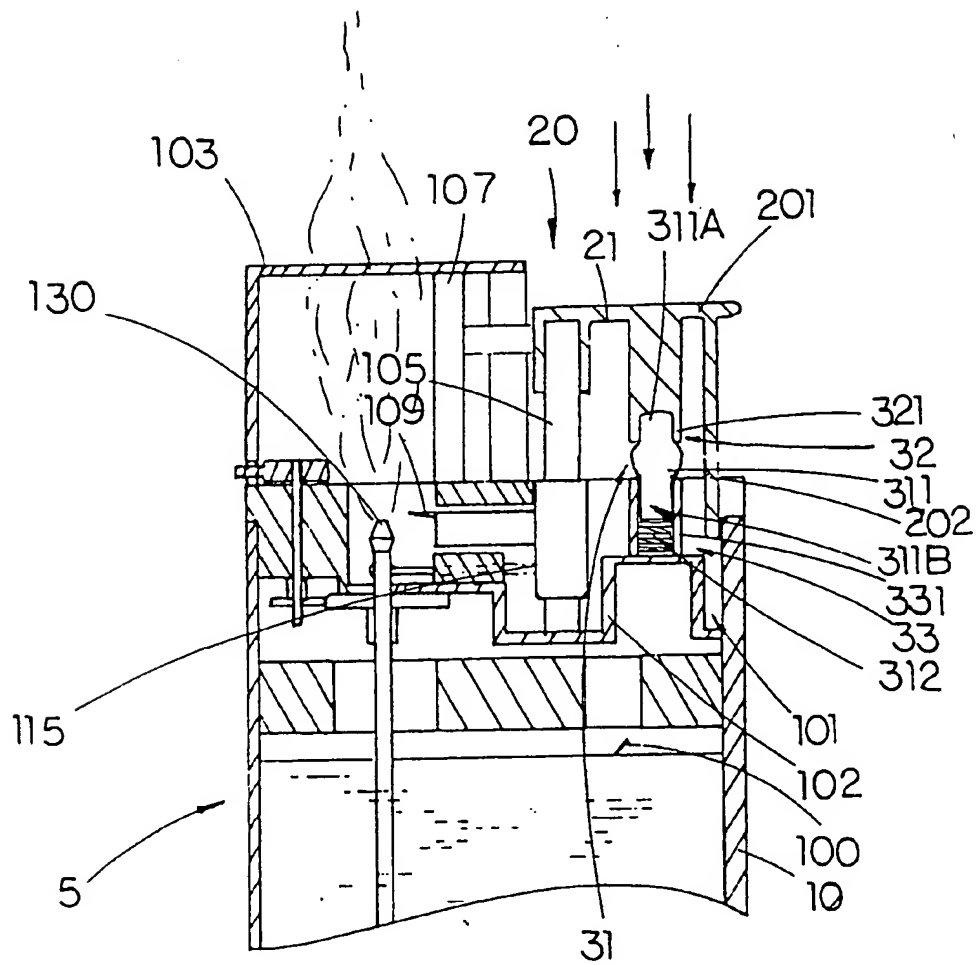


FIG. 4

1

## SAFETY APPARATUS OF A PIEZOELECTRIC LIGHTER

### FIELD OF THE PRESENT INVENTION

The present invention relates to a safety apparatus of a piezoelectric lighter, and more particularly to a safety apparatus for preventing under age children from the usage of cigarette lighter without adult supervision that highly decreases the rate of accident cause by fire every year.

### BACKGROUND OF THE PRESENT INVENTION

It is well known that accidents cause by fire are some of the most horrible things that can happen to anyone. Over the years, there are hundreds of family who suffer from the damages caused by fire, some from the city fire and others got their home burned down around the green areas due to the forest fires. The community has always encouraged people to take any oncoming fire bazard, because we know that it's better to prevent the problem than to deal with it, and especially if we're dealing with an element of no mercy. Accidental fire had not only burned down homes and destroyed lives, but it also had killed many people over the years.

Most fires are caused accidentally by ignorance of human mistakes, especially among our young children. We tried to teach our young ones to not step into the accidental mistake of starting an accidental fire, but it is very difficult to enforce adult supervision over them twenty-four hours a day. In most accidental fire cases today, many were started by the ignorant usage of cigarette lighters, especially when someone in the family who is a smoker which having many cigarette lighters laying around the house waiting for the young one to pick it up and use it.

In the resent years, there are many safety lighters manufactured throughout the market. Many of the prior arts are based on having or hiding a safety switch on a lighter, which in most cases through a period of time, kids seem to be able to figure out how to put these safety lighters into use without any complication. As we know, the children today are very intellectual in certain circumstances, and usually they don't seem to have a problem figuring out how to work a simple mechanical object. It is in human nature to figure out a solution to the any question, even at our young age. We can only trick their mental ability for a short period of time, but we can sure limit their physical capability.

### SUMMARY OF THE PRESENT INVENTION

The main object of the present invention is to provide a safety apparatus of a piezoelectric lighter for preventing under age children from the usage of cigarette lighter without adult supervision.

Another object of the present invention is to provide a safety apparatus of a piezoelectric lighter which can stop under age children from the usage of cigarette lighter by the limitation of their physical capability.

Accordingly, the present invention provides a safety apparatus of a piezoelectric lighter which comprises a casing having a liquefied gas cavity defined therein and a cap cavity; a gas ejecting tip appearing from a ceiling, of the casing and communicating with the liquefied gas cavity; a windshield mounted on the ceiling of the casing and encircling the gas ejection tip; a piezoelectric unit which is fitted in the casing having an igniting tip connected thereto; and a thumb-push cap, which is fitted in the cap cavity of the

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casing in a vertically movable manner, exposing a top portion thereof above the casing and being attached to a top end of the piezoelectric unit. The safety apparatus comprises a pressure absorbing device disposed in the cap cavity of the casing of the piezoelectric lighter, a holding means integrally affixed to an interior surface of the thumb-push cap for rigidly holding one end of the pressure absorbing device in position, and a receiving means provided in the cap cavity for receiving and supporting another end of the pressure absorbing device in position. Therefore, the pressure absorbing device is vertically held between the thumb-push cap and the ceiling of the casing for urging the thumb-push cap at an upper normal position thereof and providing an additional press resistance to the thumb-push cap, so as to resist a downwardly pressing force applied by an under age child on the thumb-push cap while an adult is capable of pushing down the thumb-push cap easily.

### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of a safety apparatus of a piezoelectric lighter of a first preferred embodiment according to the present invention.

FIG. 2 is an exploded perspective view of the safety apparatus of the above first preferred embodiment according to the present invention.

FIG. 3 is a partial sectional view of the safety apparatus of the above first preferred embodiment according to the present invention.

FIG. 4 is a partial sectional view of the safety apparatus of the above first preferred embodiment according to the present invention, showing the thumb-push in igniting position.

### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring to FIG. 1, a piezoelectric lighter 5 is illustrated, which comprises a safety apparatus 30 according to a preferred embodiment of the present invention as shown in FIGS. 2 to 4. The piezoelectric lighter 5, such as a standard piezoelectric lighter, comprises a casing 10 having a liquefied gas cavity 100 defined therein and a cap cavity 101; a gas ejecting tip 130 appearing from a ceiling 102 of the casing 10 and communicating with the liquefied gas cavity 100; a windshield 103 mounted on the ceiling 102 of the casing 10 and encircling the gas ejection tip 130; a piezoelectric unit 105 which is fitted in the casing 10 having an igniting tip 109 connected thereto; and a thumb-push cap 20, which is fitted in the cap cavity 101 of the casing 10 in a vertically movable manner, exposing a top portion thereof above the casing 10 and being attached to the top of the piezoelectric unit 105.

The thumb-push cap 20 is operatively connected both to the gas ejecting tip 130 and to the piezoelectric unit 105 for striking spark in response to a push to the thumb-push cap 20. A push-down action of the thumb-push cap 20 will downwardly drive and press the piezoelectric unit 105 which will generate striking spark through and out the igniting tip 109 towards the gas ejection tip 130 which is simultaneously operated to release gas by a gas rod activator 115. The ejecting gas will be ignited by the striking spark ejected from the gas ejection tip 130. The safety apparatus 30 of the piezoelectric lighter 5 according to the present invention is installed inside the cap cavity 101 of the casing 10, which not only can upwardly urge the thumb-push cap 20 at an upper normal position, but also is adapted for increasing the pressure weight of the thumb-push cap 20 to a predeter-

mined extent that the under age children are incapable of pushing it down to activate lighting with the lighter 5 for ensuring safety.

In order to increase the upward urging pressure of the thumb-push cap 20, the most simplest way that a person skilled in art would suggest is to fit a strong elastic spring within the cap cavity 101 to upwardly urge against the thumb-push cap 20 so that a child under five year old is unable to push down. However, the strengthened spring may also make the adults feel difficult to push down. Also, since the smoker must continuously apply a force to push down the thumb-push cap 20 for a certain period of time in order to hold the thumb-push cap 20 in its lower pushed-down position to keep the lighting flame until a cigarette is thoroughly lighted, such strong spring requires the smoker to use relatively great force to resist the upwardly urging pressure of the spring that makes the operation of the lighter become a hard task.

Moreover, the cost of a hardened strong spring is much more expensive than a normal resilient spring which is conventionally installed in the cap cavity 101 for merely propping up the thumb-push cap 20, therefore the overall manufacturing cost of the disposable piezoelectric lighter is unreasonably increased.

Another essential drawback of utilizing the strong spring is that the assembling process of the assembling will become more difficult. Besides, the configuration of the piezoelectric lighter must be redesigned to adapt the utilizing of strong spring because the strong upwardly urging force of the strong spring may make the thumb-push cap 20 be easily detached from the casing 10. Specific holding means must be incorporated with the casing 10 to firmly hold the thumb-push cap 20 to the casing 10.

In accordance with the present invention, the safety apparatus 30 enables the piezoelectric lighter 5 to provide a pressing resistance to the thumb-push cap 20 for preventing the children from pushing down without the need of incorporating any extra holding means and the increase of manufacturing cost.

The safety apparatus 30 of the present invention comprises a pressure absorbing device 31 disposed in the cap cavity 101 of the casing 10 of the piezoelectric lighter 5, a holding means 32 integrally affixed to an interior surface of the thumb-push cap 20 for rigidly holding one end of the pressure absorbing device 31 in position, and a receiving means 33 provided in the cap cavity 101 for receiving and supporting another end of the pressure absorbing device 31 in position, so that the pressure absorbing device 31 is vertically held between the thumb-push cap 20 and the ceiling 102 of the casing for urging the thumb-push cap 20 at its upper normal position and providing an additional press resistance to the thumb-push cap 20, so as to resist the downwardly pressing force applied by an under age child while an adult can push down the thumb-push cap 20 easily.

In accordance with a preferred embodiment of the present invention, the pressure absorbing device 31 of the safety apparatus 30 comprises a deformable resistance piece 311 and an elastic element 312 coaxially attached to the deformable resistance piece 311, wherein the elastic element 312 is a soft elastic spring merely for urging and supporting the thumb-push cap 20 in its upper normal position, as shown in FIG. 3.

As shown in FIG. 2, the casing 10 upwardly protrudes two parallel U-shape mounting frames 106, 107 wherein a guiding slot 108 is defined therebetween. The windshield 103 is mounted on the ceiling, 102 of the casing, 10 by engaging

with two mounting frames 106, 107 in a usual manner. The thumb-push cap 20 comprises a top wall 201, a U-shape side wall 202 integrally extending downwardly from the top wall 201, a guider unit 203 horizontally extending from the top wall 201 and being received in the guiding slot 108 for guiding the up and down pushing motion of the thumb-push cap 20. The guiding slot 108 is covered by the windshield 103 so as to limited an uppermost position of the thumb-push cap 20, i.e. its upper normal position wherein a lower end portion of the side wall 202 is inserted into the cap cavity 101 in order to mount the thumb-push cap 20 on the casing 10.

According to the preferred embodiment of the present invention, the holding means 32 comprises a holding ring 321 integrally protruded from an inner surface 21 of the top wall 201 for firmly holding a top end 311a of the deformable resistance piece 311 which is made of a cylindrical rubber post. An inner diameter of the holding ring 321 is equal to or slightly smaller than an outer diameter of the top end 311a of the deformable resistance piece 311, so that the top end 311a of the deformable resistance piece 311 can be fittedly inserted into the holding ring 321. For enhancing connection of the holding ring, 321 and the top end 311a of the deformable resistance piece 311, the top end 311a of the deformable resistance piece 311 can be further glued to the holding ring 321.

The receiving means 33 comprises a tubular receiving guider 331 integrally and upwardly extended from a raised platform of the ceiling 102 of the casing 10 within the cap cavity 101, wherein the receiving guider 331 has an inner diameter slightly larger than the outer diameter of a bottom end of the deformable resistance piece 311 and a length longer than the length of the elastic element 312. The elastic element 312 is received inside the receiving guider 331. In order to achieve a guiding effect for the deformable resistance piece 311, the deformable resistance piece 311 is designed to have a length larger than a distance between the holding ring 321 and the receiving guider 331. The lower end of the deformable resistance piece 311 is inserted into the receiving, guider 331 and pressed on the elastic element 312 so as to vertically hold the deformable resistance piece 311 in position. In other words, the elastic element 312 provides an elastic force urging upwardly against the deformable resistance piece 311 and the thumb-push cap 20, so as to retain the thumb-push cap 20 in its upper normal position, as shown in FIG. 3.

Referring to FIG. 4, when the thumb-push cap 20 is pushed downwardly to a lower igniting position by the use's thumb in order to actuate the piezoelectric unit 105 and the gas ejecting tip 130 to provide lighting flame, the elastic element 312 will first be compressed within the receiving guider 331 by the downwardly moving deformable resistance piece 311 to lower to its maximum contraction which will cause a stopping force for the deformable resistance piece 311, and then the deformable resistance piece 311 is compressed to deform by increasing its diameter due to the downward pressure applied by the use's thumb. Practically, the deformable resistance piece 311 is compressible through deformation when a predetermined amount of pressure is pressed thereon, so that the deformable resistance piece 311, in fact, provides a resistance effect to the under age children who do not have enough physical strength to compress the deformable resistance piece 311. However, an adult may easily push down the thumb-push cap 20 to deform the deformable resistance piece 311 and compress the elastic element 312 for igniting purpose.

By releasing, the thumb-push cap 20, the compressed elastic element 312 will then rebound to regain its original



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form to upwardly push the thumb-push cap 20 returning from the lower igniting position (as shown in FIG. 4) to its upper normal position (as shown in FIG. 3) instantly. At that moment, the deformed deformable resistance piece 311 will also restore to its original cylindrical shape. It is worth to mention that the receiving guider 312 further provides an essential function of guiding, the up and down motion of the deformable resistance piece 311.

According to the preferred embodiment as disclosed above, the piezoelectric lighter of the present invention can stop under age children from the usage of the lighter by the limitation of their physical capability without any substantial change to the configuration of the lighter, so that the cost of the present invention is relatively inexpensive. No expensive part or complicate mechanism is added or incorporated. The assembly operation of the present invention is as simple as disposing the deformable resistance piece 311 inside the cap cavity 102, therefore the manufacturing procedure of present invention is easy and in low cost. Since nobody will afford a high price to purchase a disposable piezoelectric lighter as described in the present invention, the above advantages are substantially the important factors for competing in the lighter industry.

I claim:

1. A piezoelectric lighter, comprising:

a casing having a liquefied gas cavity defined therein and a cap cavity;

a gas ejecting tip appearing from a ceiling of said casing and communicating with said liquefied gas cavity;

a windshield mounted on said ceiling of said casing and encircling said gas ejection tip;

a piezoelectric unit which is fitted in said casing having an igniting tip connected thereto;

a thumb-push cap, which is fitted in said cap cavity of said casing in a vertically movable manner, exposing a top portion thereof above said casing and being attached to a top end of said piezoelectric unit; and

a safety apparatus which comprises

a pressure absorbing device vertically held between said thumb-push cap and said ceiling of said casing, wherein said pressure absorbing device comprises a cylindrical rubber post and a soft elastic spring coaxially attached to said cylindrical rubber post for urging said thumb-push cap at an upper normal position thereof and providing a press resistance to said thumb-push cap;

a holding means integrally affixed to an interior surface of said thumb-push cap for rigidly holding one end of said pressure absorbing device in position; and

a receiving means provided in said cap cavity for receiving and supporting another end of said pressure absorb-

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ing device in position, wherein said press resistance is an additional upward force added to said thumb-push cap in addition to that provided by said piezoelectric unit.

2. A piezoelectric lighter, as recited in claim 1, wherein said holding means comprises a holding ring integrally protruded from an inner surface of a top wall of said thumb-push cap for firmly holding a top end of said cylindrical rubber post by inserting said top end of said cylindrical rubber post into said holding ring.

3. A piezoelectric lighter, as recited in claim 1, wherein said receiving means comprises a tubular shaped receiving guider which is integrally and upwardly extended from said ceiling of said casing within said cap cavity, wherein said receiving guider is longer than said soft elastic spring and has an inner diameter slightly larger than an outer diameter of a bottom end of said cylindrical rubber post, and that said cylindrical rubber post has a length larger than a distance between said holding means and said receiving guider, wherein said soft elastic spring is placed in said receiving guider and said lower end of said cylindrical rubber post is inserted into said receiving guider and pressed on said soft elastic spring so as to vertically hold said cylindrical rubber post in position, wherein said soft elastic spring provides an elastic force urging upwardly against said cylindrical rubber post and said thumb-push cap so as to retain said thumb-push cap in said upper normal position.

4. A piezoelectric lighter, as recited in claim 2, wherein said receiving means comprises a tubular shaped receiving guider which is integrally and upwardly extended from said ceiling of said casing within said cap cavity, wherein said receiving guider is longer than said soft elastic spring and has an inner diameter slightly larger than an outer diameter of a bottom end of said cylindrical rubber post, and that said cylindrical rubber post has a length larger than a distance between said holding means and said receiving guider, wherein said soft elastic spring is placed in said receiving guider and said lower end of said cylindrical rubber post is inserted into said receiving guider and pressed on said soft elastic spring so as to vertically hold said cylindrical rubber post in position, wherein said soft elastic spring provides an elastic force urging upwardly against said cylindrical rubber post and said thumb-push cap so as to retain said thumb-push cap in said upper normal position.

5. A piezoelectric lighter, as recited in claim 3, wherein said top end of said cylindrical rubber post is glued to said holding ring.

6. A piezoelectric lighter, as recited in claim 4, wherein said top end of cylindrical rubber post is glued to said holding ring.

\* \* \* \* \*

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PAGE 02/05

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PTO/SB/82 (10-10)

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**REVOCATION OF POWER OF  
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Application Number	
Filing Date	
First Named Inventor	LEE
Group Art Unit	
Examiner Name	
Attorney Docket Number	01-10-1769

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☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name

FELIX HON, PRESIDENT, CALICO BRANDS, INC.

Signature

Date

10/26/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	
Filing Date	
First Named Inventor	LEE
Title	Safety Apparatus of a Piezoelectric lighter
Group Art Unit	
Examiner Name	
Attorney Docket Number	01-10-1769

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Name	Registration Number
R. Joseph Trojan	34,264
Lee Fredric Sharra	43,108
David Hong	45,704

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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Felix Hong, President, Calico Brands, Inc.

Signature

Date

10/26/01

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**REISSUE APPLICATION: CONSENT OF ASSIGNEE;  
STATEMENT OF NON-ASSIGNMENT**Docket Number (Optional)  
01-10-1769

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s) LEE, THOMAS PING HUA

Patent Number 5971751

Date Patent Issued 10/26/1999

Title of Invention Safety Apparatus of a Piezoelectric Lighter

1. ☒ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)
2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

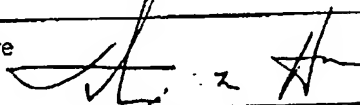
One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are CALICO BRANDS, INC., and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)  
CALICO BRANDS, INC.

Signature



Date

10/26/01

Typed or printed name and title of person signing for assignee (if assigned)

FELIX HON  
President, CALICO BRANDS, INC.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: CALICO BRANDS, INC.  
Application No./Patent No.: 08/881964/5971751 Filed/Issue Date: 6/5/97/10/26/99  
Entitled: Safety Apparatus of a piezoelectric Lighter  
CALICO BRANDS, INC., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

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1) 10292/0240  
2) 10246/0486

OR

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

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Date

FELIX HON

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PRESIDENT, CALICO BRANDS, INC.

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RECORDATION DATE: 09/17/1999

REEL/FRAME: 010246/0486  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

YEN, CHUN CHING

DOC DATE: 09/10/1999

ASSIGNEE:

CALICO BRANDS, INC.  
13455 ESTELLE STREET  
HOME GARDENS, CALIFORNIA 91719

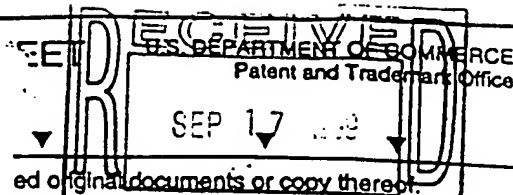
SERIAL NUMBER: 08881964  
PATENT NUMBER: 5971751

FILING DATE: 06/05/1997  
ISSUE DATE: 10/26/1999

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101151706

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Chun Ching Yen

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3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
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Execution Date: September 10, 1999

2. Name and address of receiving party(ies)

Name: Calico Brands, Inc.

Internal Address: \_\_\_\_\_

Street Address: 13455 Estelle St.

City: Home Gardens State: CA ZIP: 91719

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

08/881,964

B. Patent No.(s)

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5. Name and address of party to whom correspondence concerning document should be mailed:

Name: R. Joseph Trojan

Internal Address: \_\_\_\_\_

Street Address: 9250 Wilshire Blvd.

Suite 325

City: Beverly Hills State: CA ZIP: 90212

9/21/1999 DNGUYEN 00000392 500703 03991964

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7. Total fee (37 CFR 3.41).....\$ 40.00

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R. Joseph Trojan

Name of Person Signing

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Date

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## ASSIGNMENT OF PATENT RIGHTS

WHEREAS, I, CHUN CHING YEH, residing at 21042 Arrow Hwy, #5, Covina, CA 91724, am the owner of a new and useful for a SAFETY APPARATUS OF A PEIZOELECTRIC LIGHTER, United States Patent Application No. 03/881,964, filed June 5, 1997; and

WHEREAS, CALICO BRANDS, INC., a California corporation, having its principle place of business at 13455 Estelle, Home Gardens, CA 91719 is desirous of acquiring the entire right, title, and interest in and to said invention, said Patent application and patents which may be granted and issued therefrom in the United States and throughout the world;

NOW THEREFORE, in consideration of the sum of *Sixty-Five* Hundred dollars (\$6,500.<sup>00</sup>) and other good and valuable consideration, the receipt of which is hereby acknowledged, I CHUN CHING YEH, by these presents do hereby sell, assign, and transfer unto said CALICO BRANDS, INC. the entire right, title, and interest, for the territory of the United States of America, and through out the world, including any and all foreign rights and Convention priorities, in and to said invention, application, and Letters Patent; said invention, application, and Letters Patent to be held and enjoyed by said CALICO BRANDS, INC. for its use and behoof and for its successors and assigns to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me as if this assignment and sale had not been made;

I FURTHER AGREE to execute upon presentation any and all



domestic and foreign applications describing and claiming said invention without further consideration, and in conjunction therewith to execute any and all further assignments or other documents that may be required for filing under the International Convention or for recording in patent offices throughout the world.

Dated this 10th day of September, 1999.

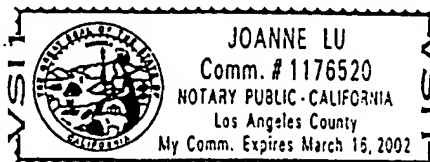
  
CHUN CHING YEH

State of California) SS:

County of Los Angeles)

Before me personally appeared said Chun Ching Yeh  
and acknowledged the foregoing instrument to be his free act and  
deed this 10th day of September, 1999.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application  
LEE, T.

) Former Examiner: Lazarus & Lee

) Group Art Unit: 3743

Based on U.S. Patent 5,971,751

Issue Date: 10/26/1999

Prior Serial No. 08/881,964

Prior Filing Date: 6/5/1997

) Atty Docket No.: 01-10-1769

Title: Safety Apparatus of a  
Piezoelectric Lighter

PRELIMINARY AMENDMENT WITH REMARKS PURSUANT TO 37 CFR § 1.173(c)

Hon. Commissioner for Patents  
Box REISSUE  
Washington, D.C. 20231

Sir/Madam:

Pursuant to 37 CFR 1.173, this preliminary amendment with remarks is respectfully filed with a U.S. Reissue Patent Application based on U.S. Patent No. 5,971,751 ('751 patent). The applicant brings this reissue application by reason to correct errors without any deceptive intent and by reason to that the patentee claimed less than to which he had a right, pursuant to 35 U.S.C. § 251.

Add claims 7 and 8 as follows:

Claim 7. A piezoelectric lighter having a fuel tank, a gas ejecting tip communicating with said fuel tank, a piezoelectric unit having an ignition tip connected thereto capable of producing a spark to ignite fuel released from said gas ejecting tip, and a thumb push cap capable of activating said piezoelectric unit when depressed, the improvement comprising:

said piezoelectric unit including a mechanism for providing an upward force for urging said thumb push cap into an upper normal position; and,

a safety apparatus having a pressure absorbing device positioned to engage an underside of said thumb push cap to impede movement of said cap in addition to said upward force provided by said piezoelectric unit.

Claim 8. A piezoelectric lighter having a fuel tank, a gas ejecting tip communicating with said fuel tank, a piezoelectric unit having an ignition tip connected thereto capable of producing a spark to ignite fuel released from said gas ejecting tip, and a thumb push cap capable of activating said piezoelectric unit when depressed, the improvement comprising:

said piezoelectric unit including a mechanism by which an upward force is transmitted to said thumb push cap to urge said cap into an upper normal position; and,

a safety apparatus having a pressure absorbing device capable of transmitting an additional upward force to said thumb push cap to augment the upward force provided by said piezoelectric unit.

## REMARKS

Pursuant to 37 CFR § 1.173(c) and the requirement for status of claims and support for claim changes, the applicant provides these remarks for the new claims 7 and 8. These new claims are based on the specification, claims, and drawings of U.S. Patent No. 5,971,751; no new matter has been added. The antecedent basis for claims 7 and 8 can be found in Fig. 2-4 and in the specification between Col. 3, line 35 to Col. 5, line 8. In particular for claims 7 and 8, the applicant points the Examiner's attention to Col. 3, lines 41 to 63 and Col. 4, lines 26 to 65.

Original claims 1-6 are pending for this reissue application.

### Current Assignee: Calico Brands, Inc.

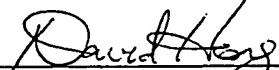
Please also note that the first page of this '751 lists the previous assignee as Mr. Chun Ching Yeh of Covina, CA. Mr. Yeh assigned the rights to Serial No. 08/881,964 to CALICO BRANDS, INC. on September 10, 1999. This 9/10/1999 assignment was recorded with the U.S. Patent Office twice: (1) 09/17/1999 at Reel/Frame (010246/0486) and (2) 09/29/1999 at Reel/Frame (010292/0240). Copies of these two (2) recorded assignments (dated September 10, 1999) from the former assignee, Mr. Chun Ching Yeh, to Calico Brands, Inc. and the required Statement Under 37 CFR 3.73(b) are included with this reissue application.

If any additional fees are required as a result of this amendment, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 500703.

Respectfully Submitted,

TROJAN LAW OFFICES

By

  
\_\_\_\_\_  
R. Joseph Trojan (#34,264)  
David Hong (#45,704)

Dated: October 26, 2001

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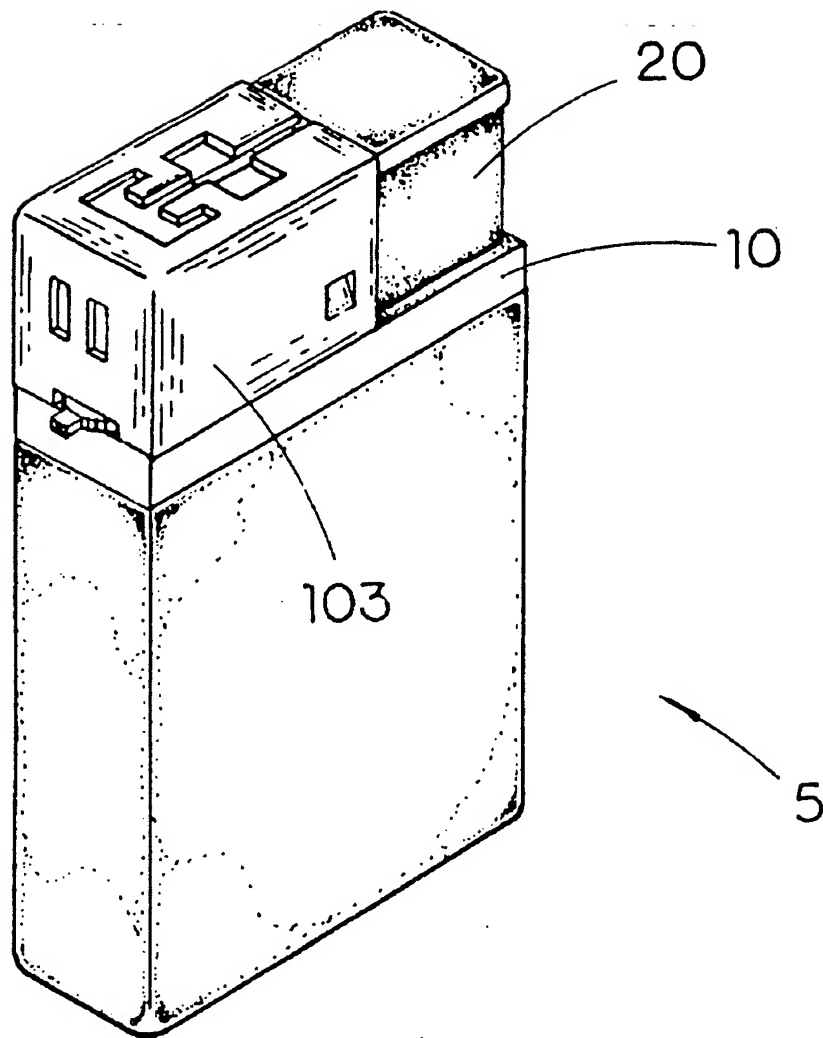


FIG. 1

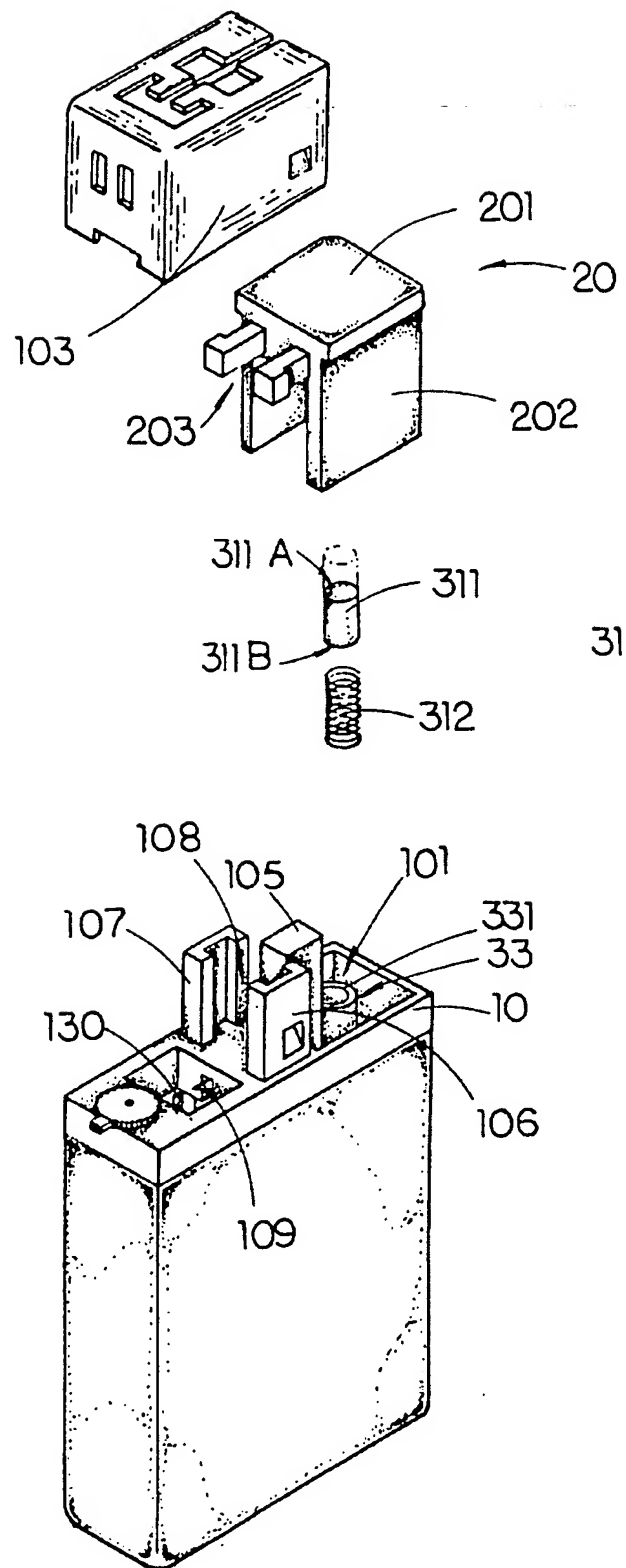


FIG. 2

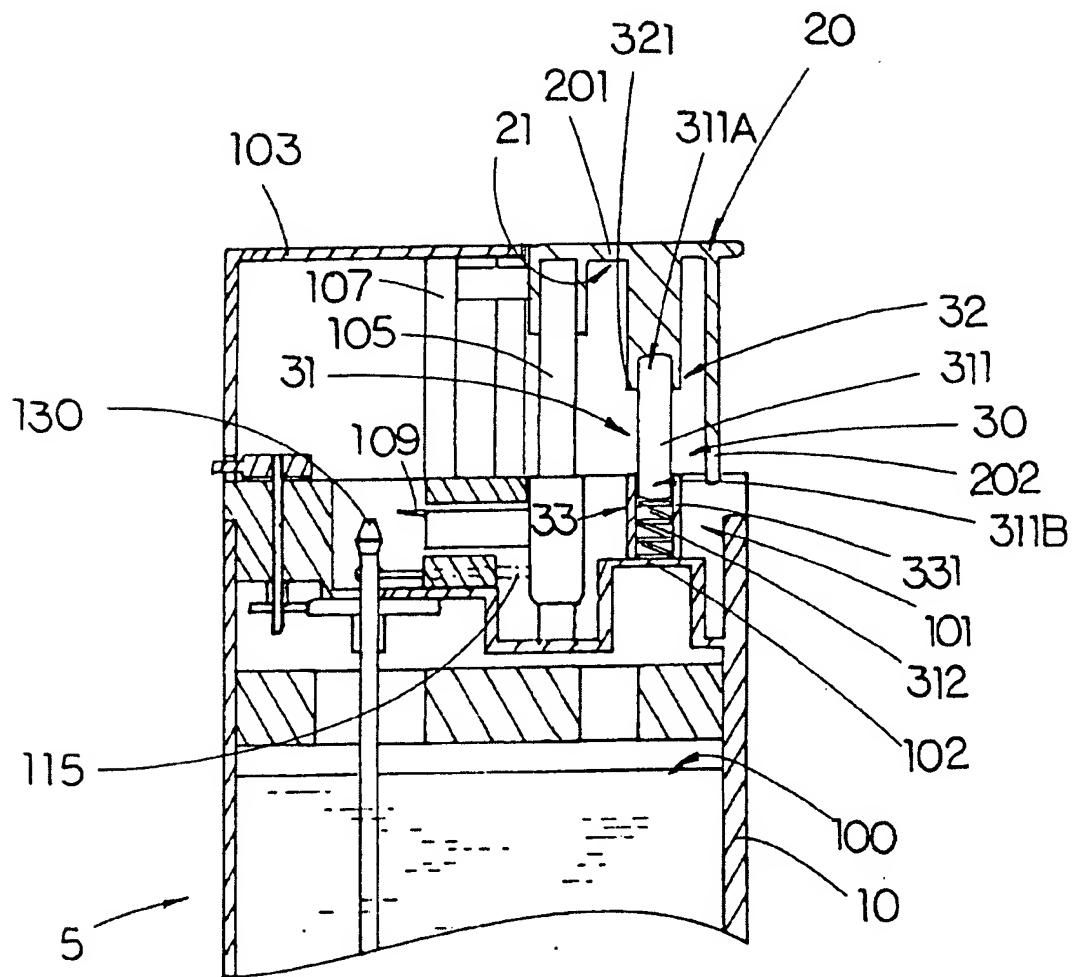


FIG. 3

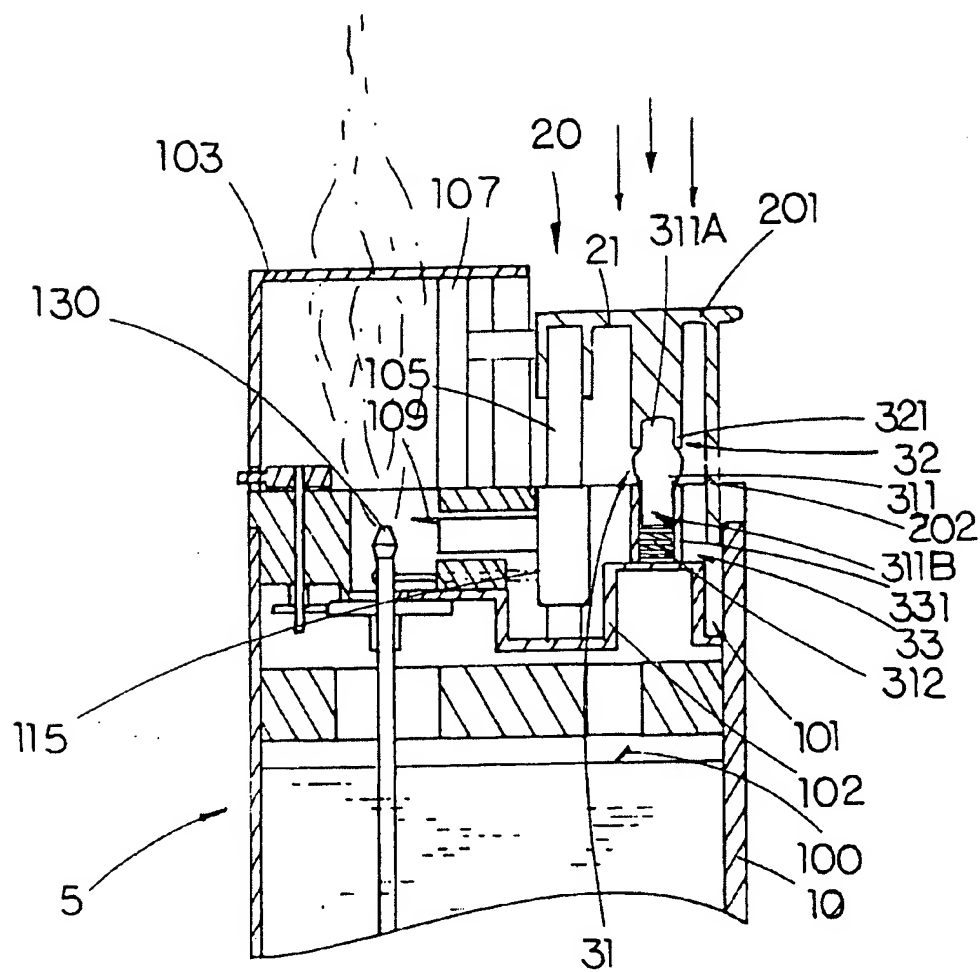


FIG. 4





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MEMO ▼ Reissue Application for Patent No. 5,971,751

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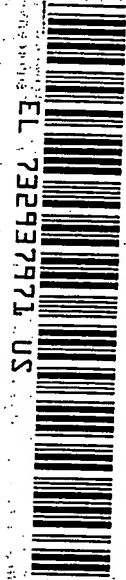
- U.S. Reissue Patent Appl. for "Safety Apparatus of a Piezoelectric Lighter." Based on U.S. Patent No. 5,971,751 (Issued 10/26/1999);  
Inventor: Lee, T.; Prior S.N. 08/881,964 (Filed 6/5/1997);  
TLO File No. Calico 01-10-1769.
1. Reissue Patent Application Transmittal (1 page);
  2. Reissue Application Fee Transmittal Form (original & copy, 2 pg total)
  3. Check for \$454.00 (1 page);
  4. Specification and Claims in double column copy of U.S. Patent No. 5971751 (8 pages);
  5. Revocation of Power of Attorney (1 page);
  6. Power of Attorney (1 page);
  7. Reissue Application: Consent of Assignee (1 page);
  8. Stmt. Under 37 CFR 3.73(b) with copies of Two (2) Recorded Assignments from previous assignee Mr. Yeh to Calico Brands, Inc. (6 pg);
  9. Preliminary Amendment (new indep. claims 7 and 8 (3 pages);
  10. Drawings (4 pages);
  11. Certificate of Mailing by Express Mail (1 page);
  12. Return Post Card (1 page); and
  13. Cover Letter (1 page).



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